IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 28TH SEPTEMBER 2006 / 6TH ASWINA 1928

Bail Appl..No. 5836 of 2006()

CRIME NO.180/2006 OF VATTIYOORKAVU POLICE STATION

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PETITIONER/ACCUSED.

VINU @ BINU, S/O.SASIDHARAN,
BINDHU BHAVAN, IRUMBA, ARUVIKKARA,
THIRUVANANTHAPURAM.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENTS: COMPLAINANT.

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 5836 of 2006

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Dated this the 28th day of September, 2006

O R D E R

The petitioner is the first accused in Crime No.180/2006 of Vattiyoorkavu Police Station, for the offence punishable under Sections 143, 341, 323 and 384 I.P.C read with Section 149 of the Indian Penal Code. It is alleged by the prosecution that on 05/08/2006, the accused, five in number, have wrongfully restrained the de facto complainant, and after putting him in the instant fear of injury, induced him to deliver an amount of Rs.1000/- under that continued threat, and thus the offence. The petitioner is before this Court under Section 438 Cr.P.C.

2. After hearing both sides and considering the materials on record, I direct the petitioner to surrender before the Investigating Officer, who is investigating Crime No.180/2006 of Vattiyoorkavu Police Station, on 05/10/2006, between 9.30 a.m and 10 a.m.

3. The Investigating Officer shall interrogate the petitioner and thereafter, produce him before the court below on the same day, before 5 p.m.

4. The learned Magistrate shall hear both sides and pass appropriate orders, on the applications that may be filed by the petitioner for bail and the prosecution for custodial interrogation, if any. The orders shall be passed on merit.

The application is accordingly, closed.

(J.M.JAMES)
Judge

ms